

# Miami-Dade County



## Department of Planning and Zoning Zoning Code Re-Write

# Goal

**The Zoning Code Re-Write Project  
aims to:**

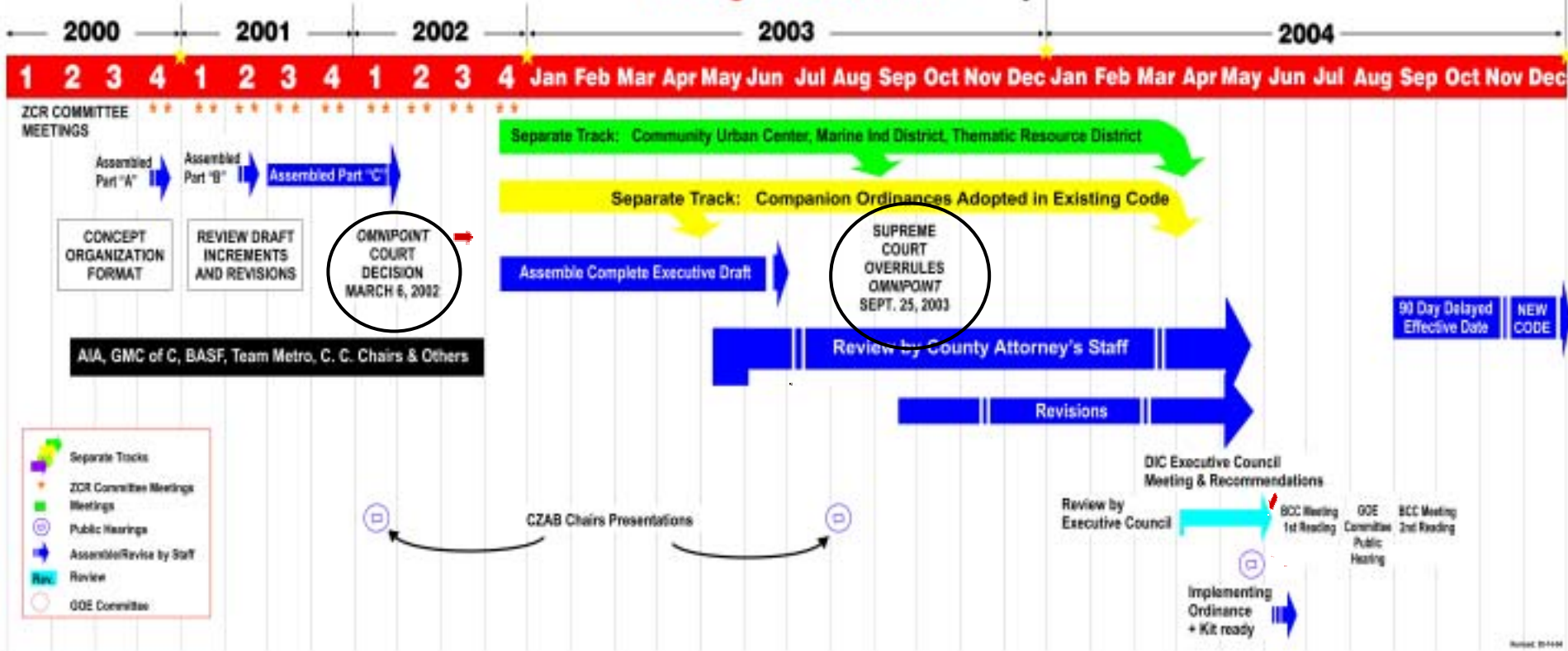
- Simplify,
- Rationalize,
- and Modernize,

**Chapter 33 of the Miami-Dade County Code**

# Objectives

- To become *User-Friendly* to the general public.
- To rely more on *Tables* and *Graphics* rather than text.
- To use *Flow Charts* to explain the zoning process.
- To group like zoning districts by density, intensity and geography:
  - *Special*    • *Urban*    • *Rural*
- To consider the use of *Overlay Districts*
- To avoid *Non-Conformities*
- To create new/modified districts based on the *CDMP*
- To blend the guidelines from the *Urban Design Manual*
- To rewrite only the *Text* now
- To evaluate placing the new Zoning Code *Online*

## Timetable for Zoning Code Re-Write Completion



**On September 25, 2003**  
**the Florida Supreme Court overruled the**  
***Omnipoint decision* quashed and**  
**remanded. Miami-Dade County can use**  
**both the criteria for Special Exceptions,**  
**Non-Use Variance and Unusual Uses and**  
**the “cures” - Alternative Site**  
**Development Options and Modifications.**

# Highlights

## *Format*

1. Re-title Chapter 33 to “Planning and Zoning”
  - Transfer **Planning Advisory Board and CDMP** from Chapter 2 of County Code to Chapter 33.
  - Transfer **Chapter 18A** Landscaping of the County Code to **Article XIV**.
  - Delete **Chapter 23A** Planning Generally as redundant.
  - Transfer **Street Names** from Chapter 33 to Chapter 28 Subdivisions.
  - Retain existing Chapter 33A Developments in Incorporated Areas Creating County Impact; create **new Chapter 33L** Governmental Facilities.

# Highlights (cont'd)

## *Format (Cont'd)*

2. Group similar zoning districts together; re-arrange the existing Zoning Code in a more logical order into 24 articles:

- Part I. Planning

- Part II. Zoning

- Article I. General Provisions

- Zoning Districts

- Article II. Rural Zoning Districts
  - Article III. Estate Residential Zoning Districts
  - Article IV. Single Family Duplex, Townhouse and Rowhouse Residential Zoning Districts
  - Article V. Multi-Family Residential Zoning Districts and Option
  - Article VI. Business and Office Zoning Districts and Option
  - Article VII. Industrial Zoning Districts
  - Article VIII. Special High Density Zoning Districts
  - Article IX. (Reserved)
  - Article X. Overlay Zoning District

# Highlights (cont'd)

## *Format (Cont'd)*

- Regulations applying to all Districts
  - Article XI. Regulations Applying to District, Generally
  - Article XII. Off-street Parking Regulations
  - Article XIII. Sign Code
  - Article XIV. Landscaping Standards
  - Article XV. Administrative Site Plan Review Criteria and Approval; Urban Design Standards
  - Article XVI. Nonconforming Uses and Structures



# Highlights (cont'd)

## *Format (Cont'd)*

### ■ Administration

- Article XVII. Director's Duties and Administrative Procedures
- Article XVIII Zoning Hearing Procedures
- Article XIX. Regulations Amendments
- Article XX. Covenants and Development Agreements
- Article XXI. Temporary Use of Land and Buildings; Zoning Moratoria
- Article XXII. Fees

### ■ Enforcement and Definitions

- Article XXIII. Enforcement and Penalties
- Article XXIV. Definitions and Measurements

# Highlights (cont'd)

## *Format (Cont'd)*

3. Portray permitted **uses in zoning districts** and **building envelopes in zoning districts** by matrix tables. Incorporate the **internal staff list** of permitted uses.
4. Add **graphics**: maps, 4 flow charts and illustrations.
5. Re-number all **existing Sections** from 1-999 to reduce decimals e.g. “Section 33-302.01.”
6. Eliminate **double numerical** reference e.g. “twenty five (25) feet”.

# Highlights (cont'd)

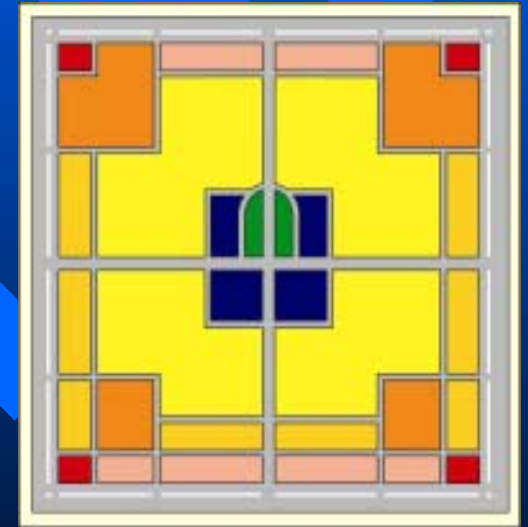
## *Modernization*

7. Discontinue the RU-IZ and ZLL (Zero Lot Line) Zoning Districts.
8. Continue the RU-TH Townhouse Zoning District but add the RU-RH Rowhouse Zoning District.
9. Discontinue the RU-3 Multi-Family Zoning District and merge into the RU-3M Zoning District.
10. Discontinue the RU-5A Zoning District and merge into the RU-5 Zoning District.
11. Discontinue Planned Development; continue Planned Area Development

# Highlights (cont'd)

## *Comprehensive Development Master Plan (CDMP)/New Urbanism*

12. Add **CON** Conservation and **ECO**-Natural Ecology Zoning Districts, which will gradually replace the **GU** (Interim District) in Open Lands and public parks lands west of the Urban Development Boundary.
13. Add **ACT** Activity Node (BU-1 Option) and **RU-3M** Option Districts.
14. Add **NBN** – Neighborhood Business Node District.
15. Introduce **Urban Design Standards** in RU and BU Districts (Urban Design Manual).
16. Reduce required front setbacks in RU-1, RU-2, and RU-RH Districts.
17. Permit accessory dwelling units in single family residential districts.



# Highlights (cont'd)

## *Omnipoint*

18. Over 20 ordinances have been adopted by the BCC, principally to Article XVIII Zoning Hearing Procedure, which create “**Alternative Site Development Options**” to supplement the non-use variance procedure for public hearings. (Variances require a showing of hardship).
19. Continue to require **Places of Public Assembly** or **Neighborhood-Serving Uses** such as certain private schools and religious facilities to be approved through public hearing.
20. Retain **Unusual Uses** but convert some to **zoning-by-right** when the applicant meets certain conditions and requirements.
21. Prohibit **commercial off-street parking lots** in residential districts (*Baker*).

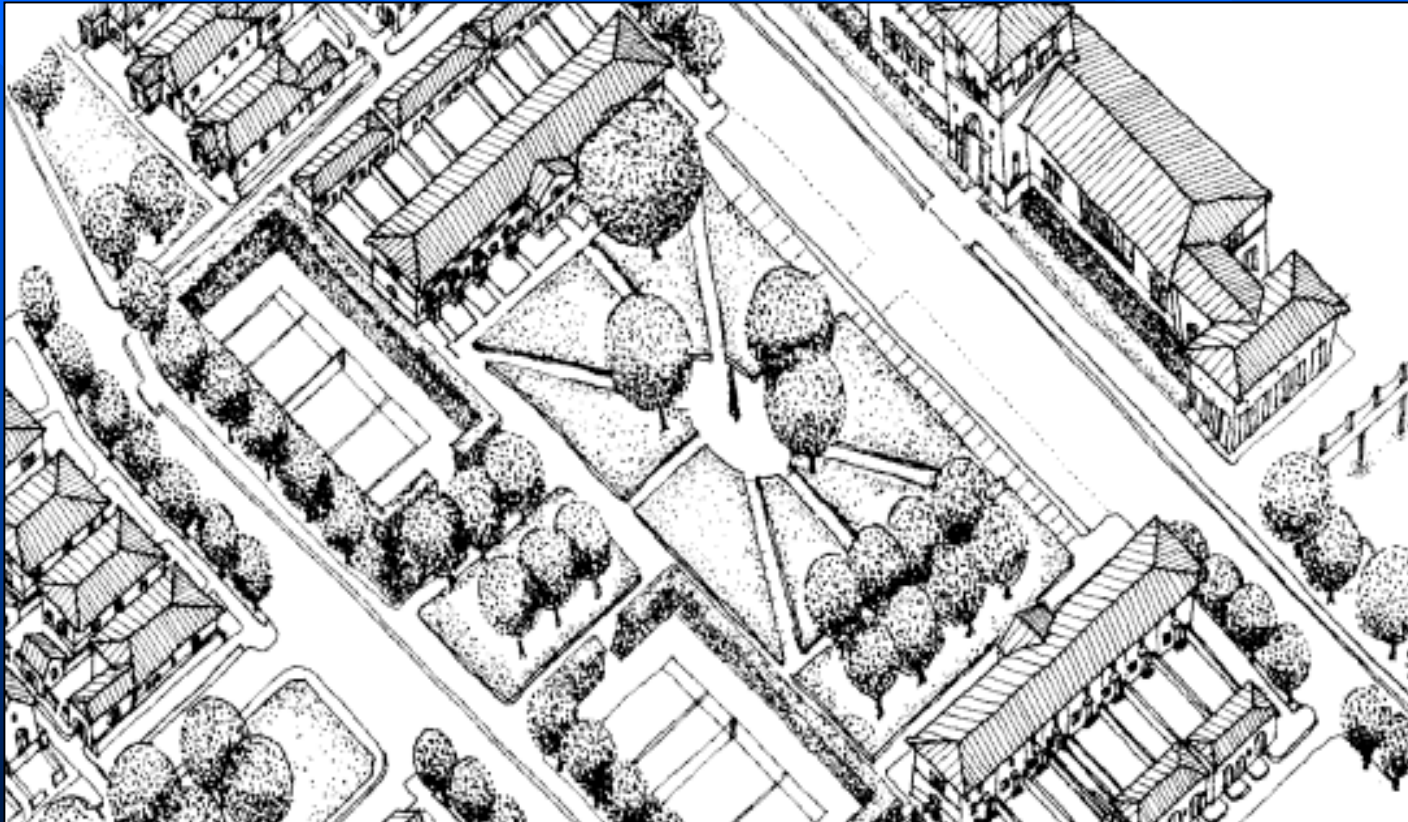
# Highlights (cont'd)

## *User-Friendly*

22. Add Instructions for using Chapter 33 in Introduction.
23. Add Measurements to Article XXIV.
24. Add brief histories of Planning and Zoning in Miami-Dade County.
25. Add Airport zoning maps to the Airport Overlay Zoning Districts
26. Add Director's Interpretations and Substantial Compliance Criteria under Article XVII.
27. Add tutoring, music and swimming lessons as permitted accessory uses in the RU, EU and AU Districts.
28. Add outdoor dining for restaurants in BU districts subject to conditions.
29. Add Adult Daycare to RU-3, RU-5, all BU districts and IU-1.

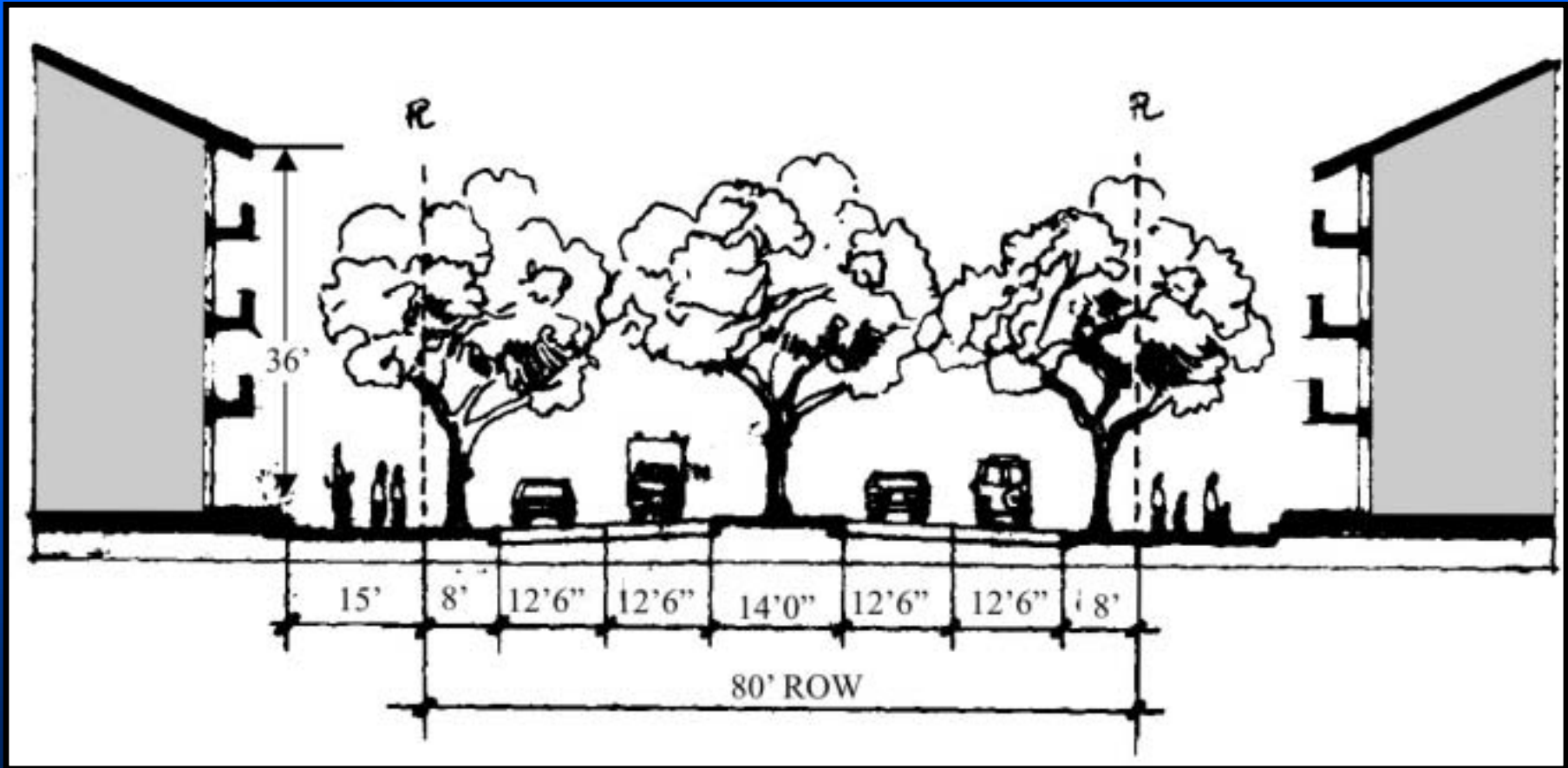


# **Urban Design Standards for site plan review, for all zoning districts except AU, CON, DKUCD, ECO, EU, GF, GP, GU, IU, PAD and TND.**



**Common open space shall be in the form of greens, squares, parks or plazas as defined by the block system.**

## Urban Design Standards (cont'd)



The relationship between building heights and street widths shall create a pedestrian scale .



## Urban Design Standards (cont'd)



**Building types shall be mixed in any one development**

## Urban Design Standards (cont'd)



**Land uses, such as residential, business, office and institutional, shall be mixed horizontally and vertically in any development, as provided in the CDMP.**

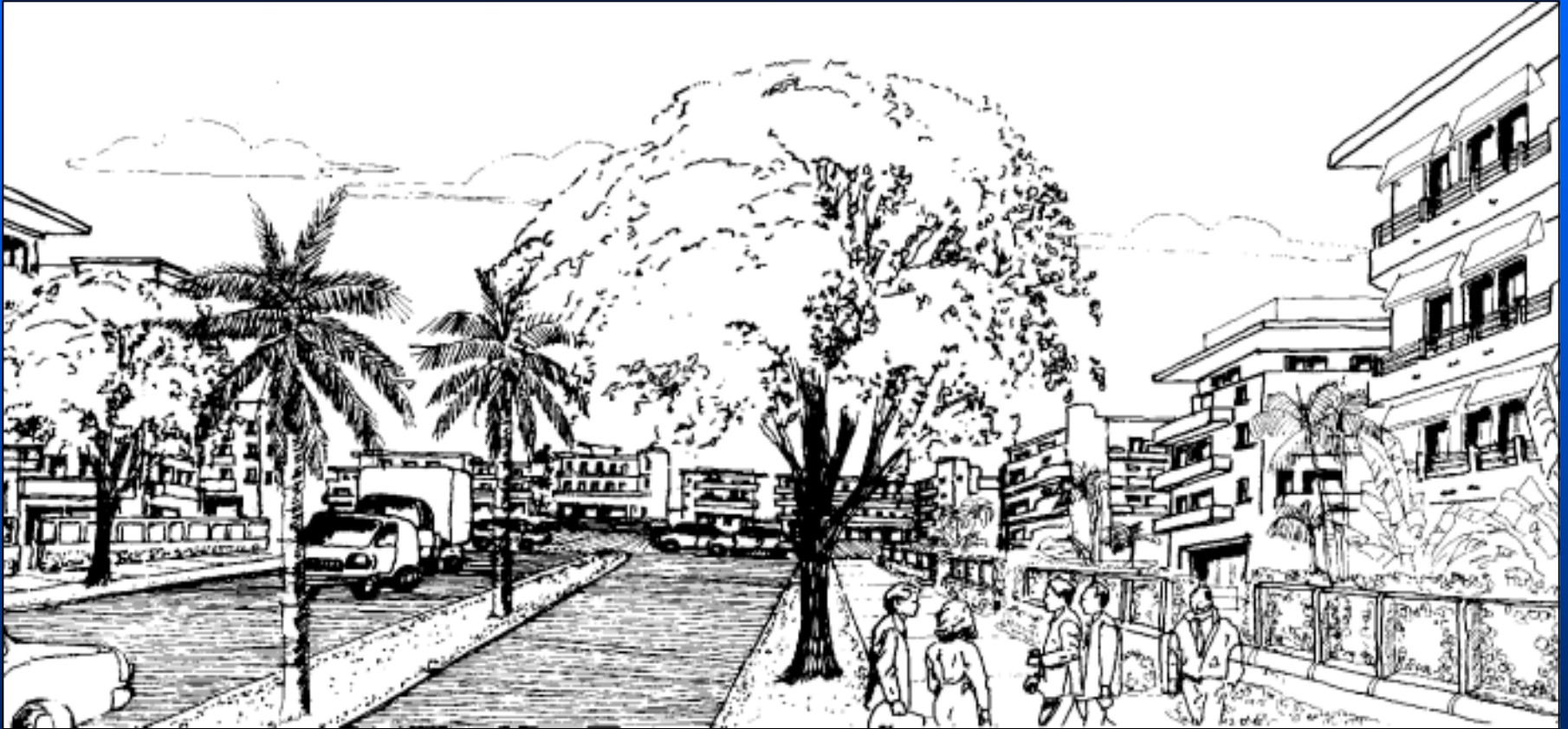


## Urban Design Standards (cont'd)



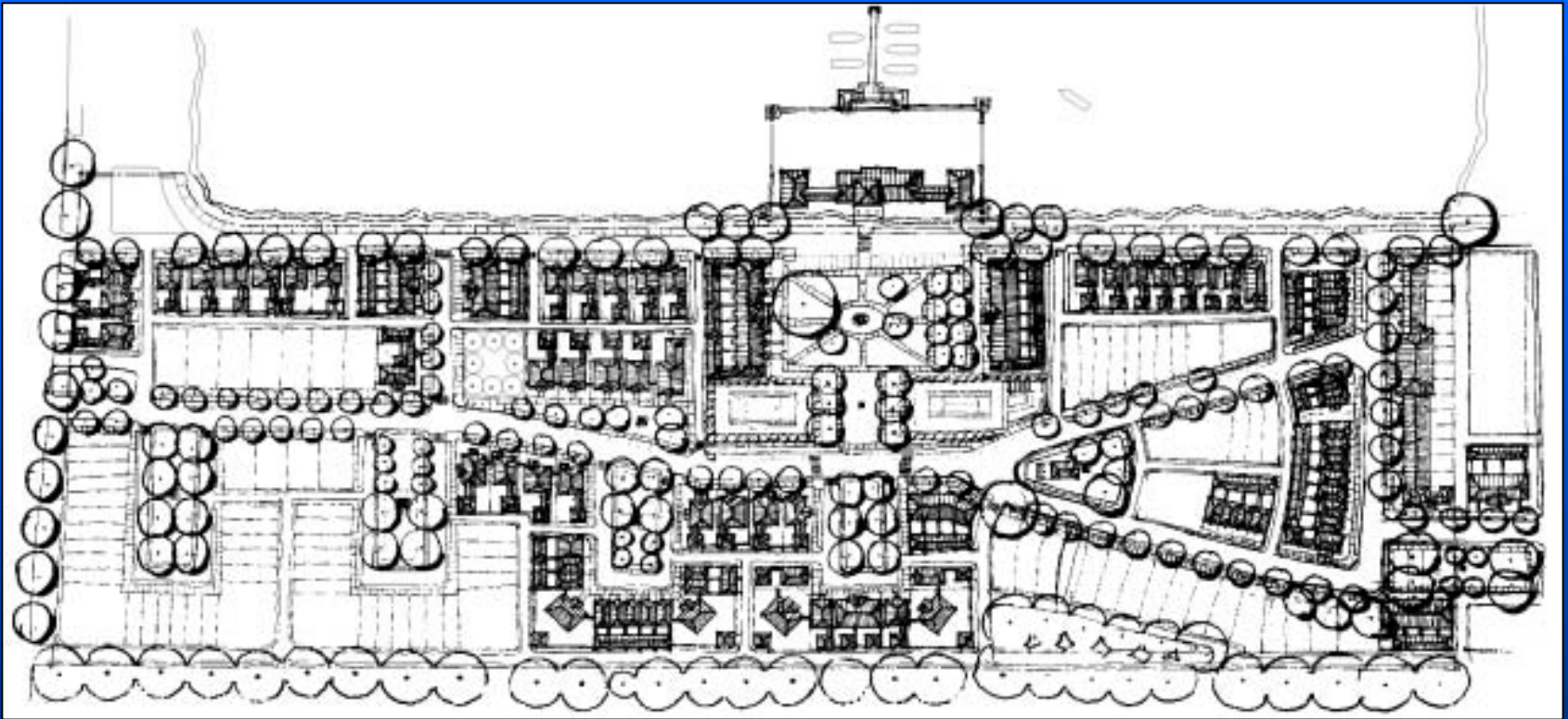
Focal points, such as greens, squares, plazas, gazebos, monuments, fountains, statuary public buildings shall be incorporated in all new development and redevelopment to create neighborhood identity. These focal points shall be placed in prominent locations such as street intersections, or on properties ending street vistas.

## Urban Design Standards (cont'd)



**All facades that face an adjacent street, park or open space shall be articulated with porches, bay windows and/or balconies.**

# Urban Design Standards (cont'd)



- **Street trees shall define the edge of the block**
- **Streets shall be designed in a hierarchy, such as boulevards, avenues, local streets and alleys; and**
- **The network of section, half-section and quarter-section line roads shall be continuous and interconnected. Cul-de-sacs and "T"-turnarounds should be avoided. No block face shall be longer than 425' without an intervening street or pedestrian path.**

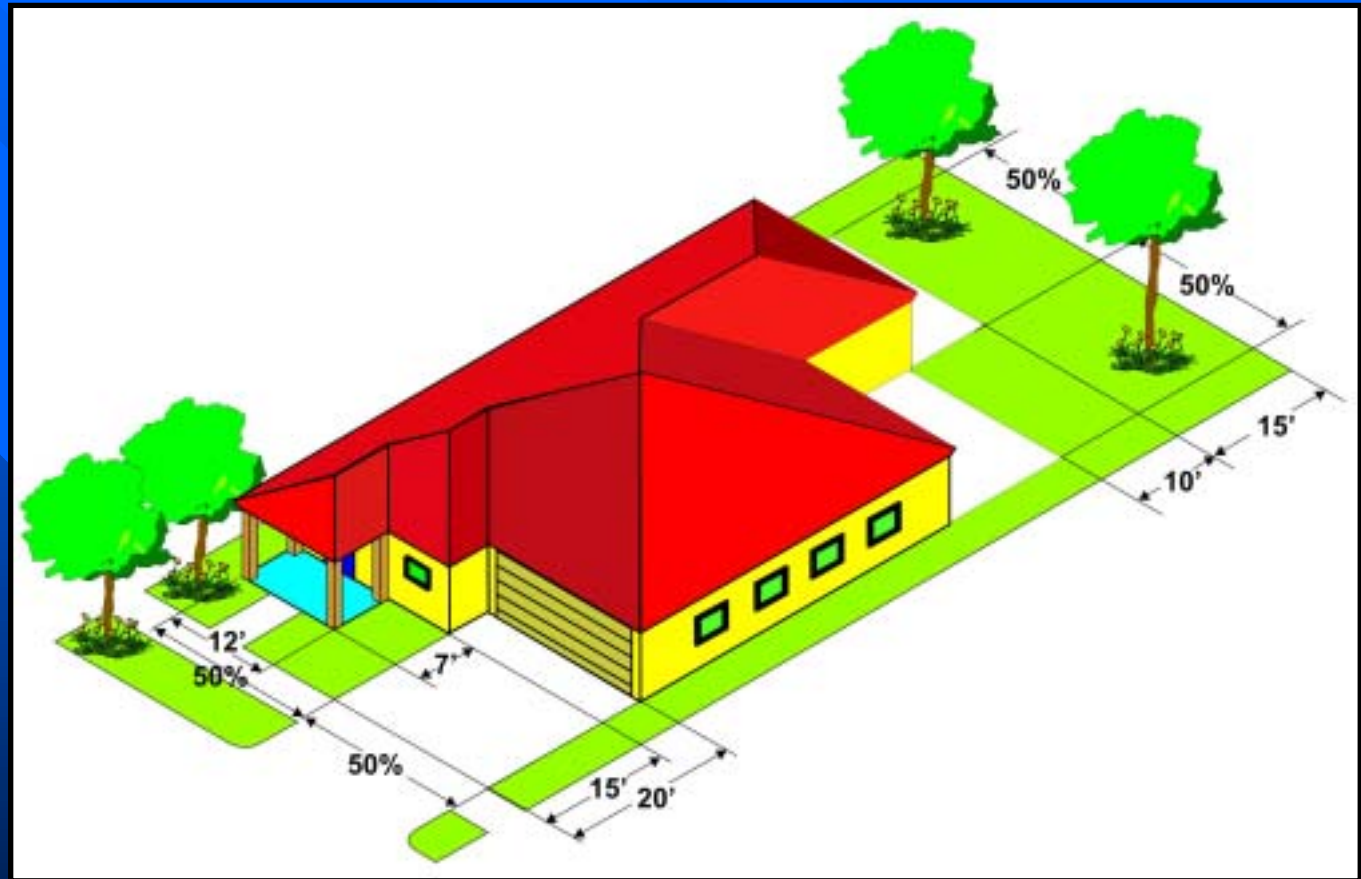


# Example of Urban Design Standards: RU-1(M)(a)

[Existing front setback regulations: 15 feet for 50% of the lineal footage of the width of the house and 25 feet for the balance; except 20 foot setback for attached garage.]

The front elevation shall face the street and shall contain the front door or windows covering at least 15% of the front elevation; attached garages and carports shall not comprise more than 50% of the home's front elevation.

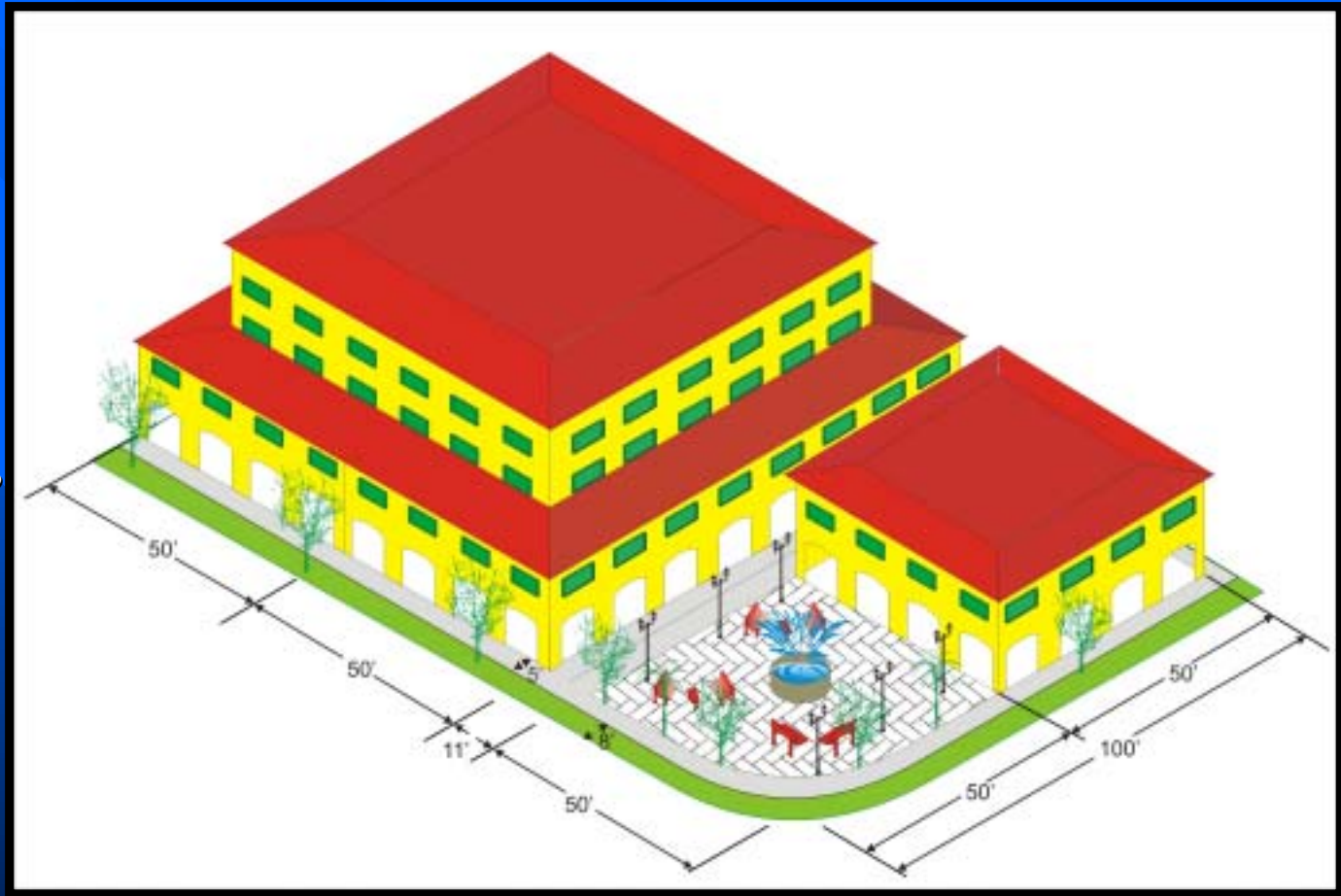
Front porches may encroach a maximum of 7' into the front setback; roofs of such front porches may encroach another 2' but not within 6' of the front property line. Front porches shall have a minimum depth of 6' and shall comprise a minimum of 30% of the width of a home's front elevation (not including any garage) or 12', whichever is larger.



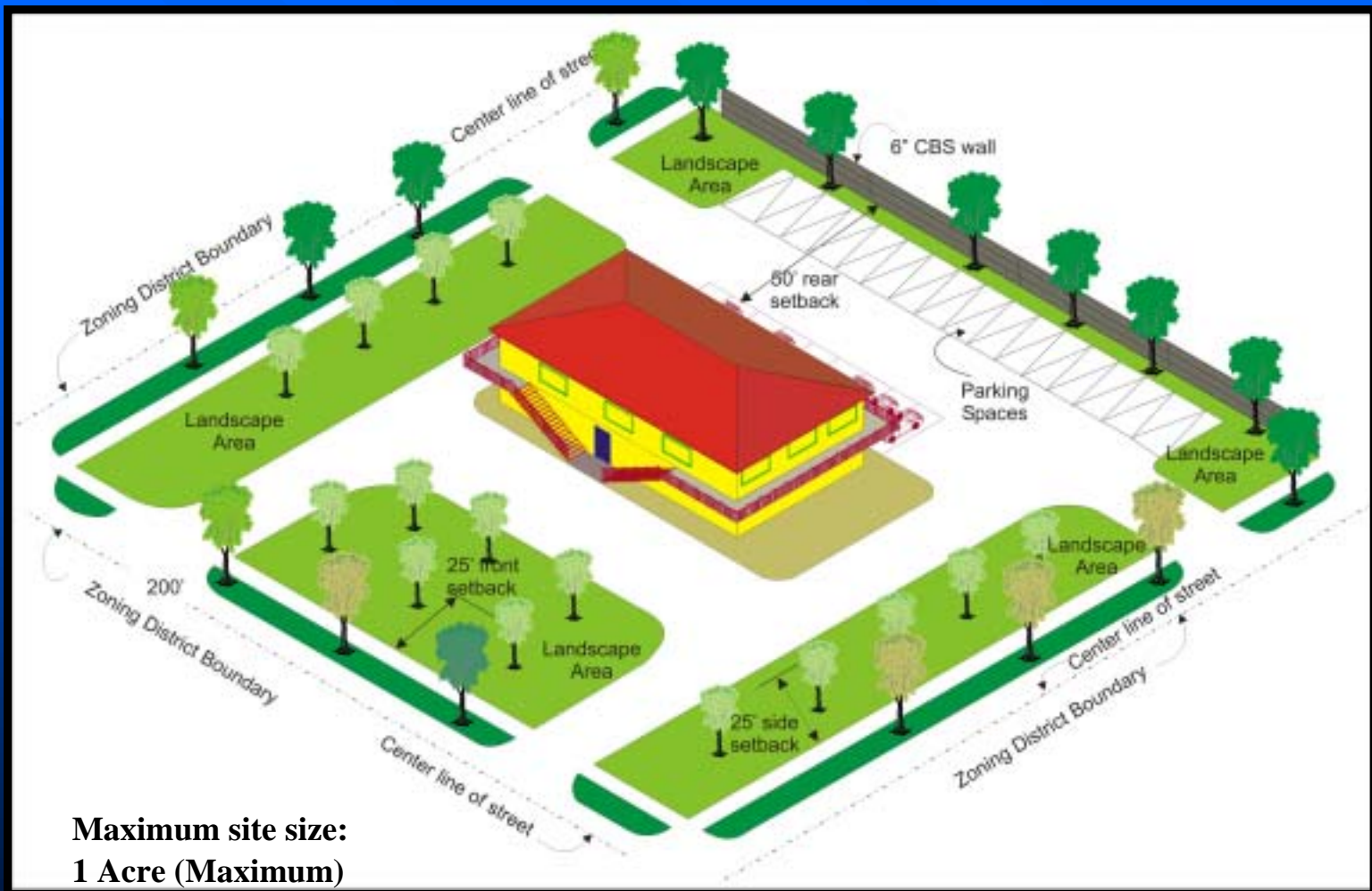
# Example: ACT- (BU-1 Option) and New Urbanism

“New Urbanism” concepts are being incorporated into many of the zoning district revisions which will have the effect of deterring urban sprawl, encouraging a more compact development pattern, reducing trip length and facilitating multi-purpose trips. These proposals would concentrate development in urban centers at intersections

of major roads and at transit stations as outlined in the Comprehensive Development Master Plan. These centers would combine mixed uses-retail, office and residential uses in the same building. Apartments buildings would house families at higher densities. Buildings would be closer to the street, parking lots would be placed to the side or behind the buildings. These pedestrian-friendly centers would feature landscaped pedestrian plazas and a high quality of urban design.



# Example: NBN- Neighborhood Business Node



The NBN – Neighborhood Business Node will serve the limited retail and personal service needs of the immediate area within walking distance. The maximum site and building size are limited to assure compatibility with the neighborhood and minimize the generation of non-local traffic.



# ARTICLE IV. SINGLE FAMILY, DUPLEX, TOWNHOUSE AND ROWHOUSE RESIDENTIAL ZONING DISTRICTS

**RU-1** Single Family Residential  
District

**RU-1** Modified Single Family  
**(M)(a)** Residential District

**RU-1** Modified Single Family  
**(M)(b)** Residential District

**RU-1Z** Zero Lot Line Single Family  
Residential District  
(discontinued)

**ZLL** Zero Lot Line Developments  
(discontinued)

**RU-2** Two- Family Residential  
District

**RU-TH** Townhouse District

**RU-RH** Rowhouse District

## Sec. 33-310. Purpose of Districts

- a) The purpose of the RU-1 Single Family Residential District is to provide for a one family dwelling unit and accessory uses, together with an accessory dwelling unit on individually platted lots containing not less than 7,500 square feet net.
- b) The purpose of the RU-1M(a) Modified Single Family Residential District is to provide for a one family dwelling unit and accessory uses on individually platted lots containing not less than 5,000 square feet net.
- c) The purpose of the RU-1M(b) Modified Single Family Residential District is to provide for a one family dwelling unit and accessory uses on individually platted lots containing not less than 6,000 square feet net.

<b>Table 33-311</b> <b>LIST OF USES</b>	<b>ZONING DISTRICTS</b> Endnote [numbers] referenced in this Table correspond to additional use regulations.				
	<b>RU-1</b> <b>RU-1M (a);</b> <b>RU-1M (b)</b>	<b>RU-1Z/ZLL</b> <b>(Discontinued)</b>	<b>RU-2</b>	<b>RU-TH</b>	<b>RU-RH</b>
A one family residence, including every accessory use not conflicting therewith	P				
a. Accessory buildings (non habitable): workshop, garage, utility shed, gazebo	AL [1]				
b. Accessory dwelling unit (ADU)	AL [2]				
c. Accessory recreational facilities: swimming pool, RV and boat storage	AL [3]				
d. Aviary (hobby – no more than 25 birds and no sales)	AL [4]				
e. Awnings, tents and canopies	AL [5]				
f. Boat slips or piers, non commercial	AL [6]				
g. Family day care or group home	AL [7]				
h. Fences, walls and hedges	AL [8]				

<b>Key</b>	P	Permitted principal use	L	Permitted, but subject to limitations in the regulations
	A	Accessory use, incidental to the permitted use	H	Permitted only upon approval after public hearing (See Art XVIII) 26
				Not permitted (Sec 33-311 Continues)

## Endnotes to Table 33-311

- [1] Accessory buildings – Sec.33-702.
- [2] Accessory dwelling unit – Sec.33- 701.
- [3] Boats, RV's and pools – See Sections 33-724, 33-725 and 33-726.
- [4] A non-commercial aviary may be permitted as an accessory use to a single family residence, provided waivers of objection are obtained from all property owners within 500 feet of the property upon which the aviary will be placed. A Declaration of Use must be executed by the property owner prior to building permit issuance for the aviary, limiting the number of birds to a maximum of 25 and prohibiting the sale of such birds.
- [5] See Sections 33-742 through 33-754. Residential occupancy of temporary accessory buildings, tents, outbuilding and similar structures is prohibited whether on a temporary or permanent basis.
- [6] Boat piers or slips for the docking of privately owned watercraft, except houseboats without power, provided no remuneration is charged for the use of such motor craft or docking space. Such use shall be limited to the owner of the premises and/or occupant of a residential building on the premises or guest of such occupant.
- [7] Family day care and group home regulations – See Section 33-716.
- [8] Fence regulations – See Section 33-712. For townhouses and rowhouses, see private patio area requirements in Table 33-312.
- [9] Two garage sales per year for the disposal of excess household items are permitted as an accessory use.

<b>Table 33-312 Building Envelope</b>	<b>Zoning Districts</b> Endnote [numbers] referenced in this Table correspond to additional use regulations.						
	<b>RU-1 [1]</b>	<b>RU-1Ma [1]</b>	<b>RU-1Mb [1]</b>	<b>RU-1Z/ZLL [1] (Discontinued) [2]</b>	<b>RU-2 [1,3]</b>	<b>RU-TH [4]</b>	<b>RU-RH [5]</b>
<b>Minimum Lot frontage</b>	75’ new sub; [6,9]; 50’ old sub [10]	50 [6]	60 [6]	45’ new sub. [6,7,8]; old sub [8]	75’ new sub; [10]; 50’ old sub [9]	N/A	N/A [11]
<b>Minimum lot size in square feet (net lot area)</b>	7,500 s.f. new sub [9]; 5,000 s.f. Old sub [10]	5,000 s.f.	6,000 s.f.	4,500 s.f. [8]	7,500 s.f. new sub [9,11]; 5,500 s.f. Old sub [10, 11]	1,250 s.f. min. per d.u’s; 1,500 sf. average [12]	1,200 [12]
<b>Maximum density</b>	1 unit per lot	1 unit per lot	1 unit per lot	6 d.u’s./net acre [13]	2 d.u’s. per lot	8.5 d.u’s./net acre [14]	13 d.u’s. per net acre [13]
<b>Minimum building size in square feet</b>	850 sq. ft.	850 sq. ft.	850 sq. ft.	850 sq. ft.	850 sq. ft.	600 sf. min. 800 s.f. min. average	600 sf. min. 800 s.f. min. average
<b>Principal building max. lot coverage of net lot area</b>	35% for subdivisions platted on or before March 8, 2002  40% for subdivisions platted after March 8, 2003 [15]	40% for subdivisions platted on or before March 8, 2002  45% for subdivisions platted after March 8, 2003 [15]	40% for subdivisions platted on or before March 8, 2002  45% for subdivisions platted after March 8, 2003 [15]	50% [14]	35% [14]	N/A	N/A          28

Table 33-312 Building Envelope <small>Cont'd</small>		Zoning Districts						
		RU-1 [1]	RU-1Ma [1]	RU-1Mb[1]	RU-1Z/ZLL [1] (Obsolete) [2]	RU-2 [1,3]	RU-TH [4]	RU-RH [5]
Accessory (non-habitable) building setbacks and lot coverage:								
Front	75'					[30]		
Rear	7 ½ '			5'	75'	[30]		
Interior Side	7 ½ '	5'	6'	5'	7 ½ '	[30]		
Side street	20'	15'	15'	15'	7 ½ '	[30]		
Distance between buildings	10'	10'	10'	10'	10'	N/a	N/a	
Maximum lot coverage of rear yard area for accessory buildings	30% [15]	30% [15]	30% [15]	N/a	30% [15]	N/a	10%	
Canopy carport setbacks (fabric or fiberglass) [31]								
Front	5'			Same as principal	5'	Same as principal		
Rear	5'			Same as principal	5'	Same as principal		
Interior sides	2'			Same as principal	2'	Same as principal		
Side street	5'			Same as principal	5'	Same as principal		
Height of wall, fence or hedge	6' maximum							
Parking:	2 parking spaces for each detached residence; one parking space for each accessory dwelling unit; 2 parking spaces for each duplex unit; 2.25 spaces for each rowhouse or townhouse unit [33]. Individual garages shall not be credited towards any parking requirements. The parking spaces located on a platted unit's lot are not required to be paved .							

## Endnotes to Table 33-312

- [1] See Section 33-313 for single family design standards which are applicable to subdivisions platted on or after (effective date of ordinance).
- [2] See Sections 33-314, 33-315 and 33-316 for additional regulations pertaining to zero lot line development.
- [3] A single family residence built in the RU-2 zone shall comply with the minimum building envelope standards of the RU-1 district.
- [4] See Sections 33-317, 33-318 and 33-320 for additional regulations pertaining to townhouse development.
- [5] See Section 33-319 for rowhouse design standards and Section 33-320 for additional regulations pertaining to rowhouse development.
- [6] Minimum width of lots in new subdivisions in the RU-1Z, RU-1, RU-1M(a) and RU-1M(b) Districts may be decreased from the amount required under the following conditions:
  - a) The decrease shall be applicable to lots containing a portion of their frontage along the curvilinear streets and cul-de-sacs.
  - b) The minimum lot frontage as defined elsewhere for the various zoning districts must be provided at a line parallel to and 25 feet inset from the front property line the minimum building setback line of curvilinear lots.

- c) That the minimum frontage requirement at street right-of-way line and radius requirements of exterior street right-of-way line along curvilinear streets and cul-de-sacs shall meet the following requirements:

<i><b>Zoning District</b></i>	<i><b>Minimum Frontage (feet)</b></i>
<b>RU-1Z</b>	31
<b>RU-1</b>	50
<b>RU-1M (a)</b>	33
<b>RU-1M (b)</b>	40

- d) Lot area must comply with all other minimum zoning requirements
- e) The design of the streets where the lot frontage occurs must conform to standards of the Public Works Department.
- [7] ZLL developments approved by public hearing or ASPR after September 13, 1994 .
- [8] ZLL developments approved by public hearing or ASPR prior to September 13, 1994
- [9] New subdivisions: Subdivisions platted on or after August 2, 1938.
- [10] Old subdivision: Subdivisions platted prior to August 2, 1938.



# Miami-Dade County

## Department of Planning and Zoning

### Zoning Code Re-Write

#### CAUTION:

- ▶ This *Zoning Code Re-Write* will be revised and redrafted as it moves through administrative reviews; it is subject to approval by the County Manager, and then, by the Board County Commissioners in public hearings.

# MIAMI-DADE COUNTY

## Department of Planning and Zoning **Zoning Code Re-Write**

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# Thank You!

